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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,813	10/12/2001	Edward Larue Stull	010809-0003-999	4122
20583	7590	01/26/2005	EXAMINER	
JONES DAY 222 EAST 41ST ST NEW YORK, NY 10017			REID, CHERYL M	
			ART UNIT	PAPER NUMBER

2142

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/976,813

Applicant(s)

STULL ET AL.

Examiner

Cheryl M. Reid

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. New corrected drawings are required in this application because Figures 1A-1E, 2-4, and 21-25 are visually unclear (i.e. backgrounds are too dark). Examiner has difficulty reading the fonts. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 13-16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant has failed to describe the method or criterion for merging portals. Examiner is interpreting merging as taking data from different sources and displaying it

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in one portal. This interpretation is obtained from Fig. 8 (Reference 12a-f and System C).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 40 is rejected under 35 U.S.C. 103(a) as being anticipated by Edelson and in further view of official notice.

**Claim 40**

- Edelson teaches about providing context sensitive help in an environment ....toolbar or menu items...(Fig 1), comprising the steps of:  
receiving input from a user directing a cursor of a computer mouse....  
receiving user input corresponding to a click of .....the right button of the mouse; locating a help file associated with the toolbar or menu item (Col 11, lines 36-56). Edelson does not explicitly teach that displaying information.....Examiner takes official notice that it is well-known in the

arts to display information from the help file to the user in a pop-up window located near the toolbar or menu item being selected by the click and is done in common used programs such as Microsoft Word. One of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications to Edeslon's invention because adding this feature would result in a more efficient system because user would have access to help information without having to perform any extra navigation.

Claims 1-4, 6, 8, 9-11, 13 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLauchlin and further in view of Pasquel.

**Claim 1**

- McLauchlin teaches about an interface connecting the system..... (Col 4, lines 38-45, Fig 1); facility linked to the interface for managing the one or more data sources (Fig 1); portal having access to a data source and being configured to perform analysis of data in the data source and displaying the results of an analysis each portal having one or more of the following management features:, create, save, ..... (Col 3, lines 35-45, Col 12, lines 30-45); McLauchlin is silent in regards to a portal comprising a plurality of data viewers..... Pasquali teaches on this aspect (Col 4, lines 14-21, Fig 2). McLauchlin invention relates

to facilitating.....web-based portal (Col 1, lines 15-20). Pasquali's invention relates to the dynamic manifestation of content within a web browser environment. Adding the above mentioned feature to McLauchlin's invention would be an improvement because it would further enhance his invention's objective of allowing information sharing among disparate application systems. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

#### **Claim 2**

- McLauchlin teaches of at least one of the data sources is remotely accessible via telecommunications network (Col 6, lines 30-34, Fig 1).

#### **Claim 3**

- McLauchlin teaches wherein the telecommunications network is one of: the Internet, an intranet, an extranet linked to an intranet (Col 6, lines 30-34).

#### **Claim 4**

- McLauchlin teaches wherein the interface is connected to at least two data sources that operate under different data systems (Col 5, lines 1-5, 60-66, Fig 1).

#### **Claim 6**

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- McLauchlin does not explicitly teach the interface comprises a data source controller configured to create, edit, organize, select, and delete connection .....Pasquali explicitly teaches on this aspect (Col 11, lines 53-59, Col 13, lines 24-31). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 1.

#### **Claim 8**

- McLauchlin does not teach that one portal enables concurrent visualization and manipulation of data from different sources. Pasquali teaches on this aspect (Col 8, lines 19-40, Col 9, lines 59-65, Fig 1d-2). Adding the above mentioned feature to McLauchlin's invention would result in a more efficient system because it would allow users to view information from different sources (i.e. item 30, item 32) which would result in a more efficient system because it would allow different users to concurrently participate in different sessions and view information from different sources thus enabling sharing among a plurality of users. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

#### **Claim 9**

- McLauchlin teaches of a state-save facility that records the status of the system operations (Col 9, lines 12-15).

**Claim 10**

- McLauchlin implicitly teaches of the state-save facility records the status of the system operations, such that the status can be restored in an open environment (Col 9, lines 15-22). Data sharing implies an open environment.

**Claim 11**

- McLauchlin teaches of a facility for monitoring and recording data sources used by viewer....(Col 7, lines 50-60).

**Claim 13**

- McLauchlin is silent in regards to of one portal can be merged with another portal. Pasquali teaches on this aspect (Col 8, lines 19-40, Col 9, lines 59-65, Fig 1d-2). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 8.

**Claim 23**

- McLauchlin teaches of the managing facility is configured to perform



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one or more of the following: querying a data set, updating a data set....(Col 11, lines 8-13).

4. Claims 7,12,19, 14 –18, 24-32,34-39, and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over McLauchlin and Pasquali as applied to claim 1 above, and further in view of Edelson.

**Claim 12**

- Both McLauchlin and Pasquali did not explicitly teach that portals can be opened and closed and information from the state-save facility can be used to restore the last state of a saved portal upon re-opening the portal. Edelson teaches on this aspect (Col 7, lines 55-60). Edelson's invention relates to data management systems (Col 1, lines 4-15). Adding the above-mentioned feature to McLauchlin's invention would improve efficiency by increasing a user's access time by allowing them access to their most recently used portal. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claim 14**

- McLauchlin is silent in regards to contents of one portal can be merged with another portal in the same user session. Pasquali teaches on this aspect (Col 8, lines 19-40, Col 9, lines 59-65, Fig 1d-2). One of ordinary skill in the art at the

time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 8.

**Claim 15**

- McLauchlin is silent in regards to contents of one portal can be merged with another portal in different sessions of the same user. Pasquali teaches on this aspect (Col 8, lines 19-40, Col 9, lines 59-65, Fig 1d-2). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 8.

**Claim 16**

- McLauchlin is silent in regards to contents of one portal can be merged with another portal in a different session of different users. Pasquali teaches on this aspect (Col 8, lines 19-40, Col 9, lines 59-65, Fig 1d-2). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 8.

**Claim 17**

- Both McLauchlin and Pasquali did not explicitly teach that the state-save and load facility enables sharing of the data sources among a plurality of users. Edelson teaches on this aspect (Col 7, lines 1-5). Adding the above mentioned feature to McLauchlin would improve its efficient because an increase number of

users would be able to access the data without having to wait for another user to be finished using the system. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications. Please refer to Claim 8 for additional motivation.

**Claim 18**

- McLauchlin is silent in regards to contents of one portal can be merged with another portal in a different session of different users in later points in time. Pasquali teaches on this aspect (Col 8, lines 19-40, Col 9, lines 59-65, Fig 1d-2). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 8.

**Claim 19 and 37**

- Both McLauchlin and Pasquali did not explicitly teach that the interface operates with any JDBC connectivity. Edelson teaches on this aspect (Col 12, lines 5-20). Adding the above-mentioned modification to McLauchlin's invention would provide a more user- friendly format because it would display data in a tabular manner. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claim 24**

- Both McLauchlin and Pasquali did not explicitly teach of a transcript facility that provides a record of actions performed in the system. Edelson teaches on this aspect (Col 7, lines 56-59). The fact that the system can present user with their most frequently used information implies that a record of actions performed. One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 12.

**Claim 25**

- McLauchlin teaches of one or more read-only transcript facilities (Col 6, lines 50-53).

**Claim 26**

- McLauchlin teaches of one or more user-editable transcript facilities (Col 31-34).

**Claim 27**

McLauchlin teaches of an interface connecting the system to a plurality of data sources (Col 4, lines 38-45, Fig 1); portal having access to a data source and being configured to perform analysis of data in the data source and displaying

the results of an analysis (Col 3, lines 35-37). McLauchlin does not explicitly teach about the portal comprising a plurality of data viewers..... Pasquali teaches on this aspect (Col 4, lines 14-21, Fig 2) and that data input facility including a graphical user interface for selecting ..... Edelson teaches on these aspects (Fig 1). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claims 1 and 19.

#### **Claims 28 and 29**

- Both McLauchlin and Pasquali did not explicitly teach of portal comprises means for saving data analysis and the means for saving comprises one or more of: a save portal state process, a restore portal state process.....Edelson teaches on these aspects (Col 7, lines 56-60). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 12.

#### **Claims 7 and 30**

- Both McLauchlin and Pasquali did not explicitly teach of data viewers of a portal comprise one or more of: a plexus viewer, a table viewer, .....Edelson teaches on this aspect (Col 14, lines 45-52). Adding the above mentioned feature to McLauchlin's invention would give the user more functionality by allowing him to view information in various formats. It is for this reason that one of ordinary skill

in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claims 31 and 32**

- Both McLauchlin and Pasquali did not explicitly teach of portal associated with a directory controller and the directory controller is a data source directory. Edelson teaches on these aspects (Col 33, lines 10-30). Adding the above mentioned feature to McLauchlin's invention would provide a method of organizing and grouping files so that user would not be overwhelmed by a long list of them. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claim 35**

- McLauchlin teaches of data sources operating under different formats (Col 3, lines 40-45, Col 7, lines 39-49).

**Claims 5, 34 and 36**

- While McLauchlin did not explicitly teach of data sources include one or more the following data systems: DB2, Oracle, Sybase....(i.e. he wasn't specific as to which data systems his invention employed). It is obvious to one of ordinary skill in the art that any of his data systems (i.e. application database, admin systems, etc.) can employ any of the above-mentioned systems.

**Claims 38 and 39**

- Both McLauchlin and Pasquali did not explicitly teach of a context sensitive help facility and wherein the context sensitive help facility is actuated by clicking the right button of a mouse. Edelson speaks on this aspect (Col 11, lines 40-56). Adding the above mentioned feature to Mclauchlin's invention would add increased user-friendly functions thus resulting in a more efficient system. It is for this reason that one of ordinary skill in t he art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claims 44**

- McLauchlin teaches of monitoring and recording data source....(Col 3, lines 35-45, Col 5, lines 6-25). He does not explicitly teach of monitoring and recording .....closing of one or more portals..... in response to a user command; storing in a memory location of data source definitions .....restoring the data source definitions and viewers' states.....Pasquali (Col 4, lines 15-21, having dynamic windows implies that monitoring and recording) and Edelson (Col 7, lines 55-63) teaches on these aspects. One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 12.

**Claims 45**

- It is well known in the arts to close a work session in response to users command.

#### **Claims 46**

- McLauchlin is silent in regards to the step of restoration being performed without user... Pasquali teaches of updating or changing the display contents without the user's intervention (Col 9, lines 3 –10). It would have been obvious to one of ordinary skill in the art at the time of invention to expand Pasquali's invention to include this functionality. One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 12.

5. Claims 20-22, 33 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prologo and Mclauchlin and further in view of Pasquali.

#### **Claims 20, 21 , 22 and 33**

- Prologo teaches of at least one managing facility is configured to create a test data set...(Col 1, lines 50-51), managing.....is configured to compare the contents of two or more data sources and .....managing facility is configured to compare ....(Col 1, lines 60-68). Adding the above mentioned feature to McLauchlin's invention would provide a method of verifying the correctness of data thus resulting in a more efficient and reliable system. It is for



this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claims 41 and 42**

- Prologo teaches of selecting data from one or more data sets using specified selection criteria, creating at least one new data set...., modifying the created at least one new data set , comparing modified data sets to a reference data set, creating a data set of differences between the modified...., comparing two or more selected data sets, creating a data set of differences between the data sets being compared (Col 1, lines 50-67, Col 2, lines 1-18); Prologo teaches of using a GUI (Fig 3). Prologo is silent in regards to displaying concurrently data possibly having different data formats. Pasquali teaches on this aspect (Fig 2, Col 8, lines 19-45, Col 9, lines 55-65). It is an objective of Prologo's invention to increase the speed of testing software (Col 1, lines 10-25). Adding the above mentioned feature would improve the speed of testing software by allowing the tester to view various information concurrently. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

**Claim 43**

- Prologo does not explicitly teach of displaying data concurrently is performed using a portal comprising a plurality of data viewers.....McLauchlin (Col 3, lines

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35-38) and Pasquali (Fig 2, Col 8, lines 19-45, Col 9, lines 55-65). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claims 41 and 42.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (571)272-3896. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3903.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmr

  
JACK HARVEY  
SUPERVISOR

